

REMARKS

Initially, Applicants express appreciation to the Examiner for the detailed Official Action provided. Furthermore, Applicants express appreciation for the acknowledgment of Applicants' Claim for Priority and receipt of the certified copies of the priority documents and for the acknowledgment of Applicants' Information Disclosure Statements (IDSs) filed on December 28, 2006, December 15, 2008, August 3, 2009, and November 16, 2009. However, Applicants note that the Examiner has inadvertently failed to indicate the acceptability of the drawings filed in the application. Absent an indication by the Examiner to the contrary in the next Official communication, Applicants assume the filed drawings to be acceptable.

Applicants express further appreciation to the Examiner for the indication on page 3 of the outstanding Official Action that claims 2-9 and 14-15 contain allowable subject matter.

Upon entry of the present paper, claims 2-9, and 14 will have been amended and claims 1 and 10-13 will have been cancelled without prejudice or disclaimer of the subject matter thereof. The herein-contained amendments should not be considered an acquiescence in the propriety of the outstanding rejections. Rather, the claims have been amended solely to advance prosecution of the present application to allowance. Thus, upon entry of the present paper, claims 2-9, and 14-15 are pending in the present application, with claims 2, 7, and 14 being in independent form.

Applicants address the pending rejections provided within the outstanding Official Action below and respectfully request reconsideration and withdrawal thereof together with an indication of the allowability of claims 2-9, and 14-15 (*i.e.*, all pending

claims) in the next Official communication. Such action is respectfully requested and is believed to be appropriate for at least the reasons provided below.

35 U.S.C. § 102 and 35 U.S.C. § 103 Claim Rejections

In the outstanding Official Action, claims 1 and 10 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 6,373,557 to Mengel et al. (hereinafter "MENGEL"). Additionally, claims 11-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over MENGEL.

Upon entry of the present paper, without acquiescing in the propriety of the above-captioned rejections, claims 1 and 10-13 will have been cancelled.

Thus, it is submitted that the grounds for the rejections are moot. Accordingly, it is respectfully requested that the rejections are withdrawn in the next Official communication.

Indicated Allowable Claims 2-9, and 14-15

As previously submitted, on page 3 of the outstanding Official Action, claims 2-9 and 14-15 were indicated to contain allowable subject matter.

Initially, Applicants note that claims 2, 7, and 14 each depend directly from cancelled independent claim 1. Upon entry of the present paper, claims 2, 7, and 14 will have been amended to incorporate the subject matter of cancelled independent claim 1 in order to place claims 2, 7, and 14 into independent form including all of the limitations of the base claim and any intervening claims (*i.e.*, cancelled claim 1). Accordingly, it is submitted that amended independent claims 2, 7, and 14 are condition for allowance at least based on the indication on page 3 of the outstanding Official Action.

Claims 3-6, 8-9, and 15, which were indicated to contain allowable subject matter, each directly depend from one of amended independent claims 2, 7, and 14, which are allowable at least for the reasons discussed *supra*. Thus, it is submitted that these claims are also in condition for allowance at least based on the indication on page 3 of the outstanding Official Action and based on their dependency from allowable amended independent claims 2, 7, and 14.

Accordingly, at least in view of the above, it is respectfully submitted that each and every pending claim of the present application (*i.e.*, claims 2-9, and 14-15) meets the requirements for patentability. Thus, the Examiner is respectfully requested to withdraw the outstanding rejections and to indicate the allowance of each and every pending claim in the present application.

CONCLUSION

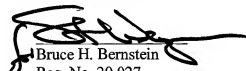
In view of the fact that none of the art of record, whether considered alone, or in any proper combination thereof, discloses or renders obvious the present invention as now defined by the pending claims, and in further view of the above amendments and remarks, reconsideration of the Examiner's action and allowance of the present application are respectfully requested and are believed to be appropriate.

Applicants note that this amendment is being made to advance prosecution of the application to allowance, and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejection is made by the present amendment. All amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should an extension of time be necessary to maintain the pendency of this application, including any extensions of time required to place the application in condition for allowance by an Examiner's Amendment, the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

If there should be any questions concerning this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
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